

FILED
GREAT FALLS DIV.

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PATRICK L. L. FLY, CLERK

BY
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

JOSEPH D. BERGIE,

Plaintiff,

vs.

JEREMY YELLIN,

Defendant.

CV 06-45-GF-SEH

ORDER

On November 11, 2006, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation¹ in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

Upon *de novo* review of the record, I find no clear error in Judge Ostby's Findings and Recommendation and adopt them in full.

ORDERED:


Plaintiff's Complaint² is DISMISSED WITH PREJUDICE.

¹ Docket No. 7.

²Docket No. 1.

The docket will reflect that Plaintiff's filing of this action counts as one strike against him for frivolousness and failure to state a claim on which relief may be granted under 28 U.S.C. § 1915(g).

DATED this 8th day of January, 2007.



SAM E. HADDON
United States District Judge